

**IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

JOHN PAUL CURRIN,)	
)	
Petitioner,)	
)	
vs.)	Civil Action No. 14-1523
)	Chief Magistrate Judge Maureen P. Kelly
KENNETH R. CAMERON; KATHLEEN)	
KANE <i>The Attorney General of the State of</i>)	
<i>Pennsylvania,</i>)	Re: ECF No. 2
Respondents.)	

ORDER

John Paul Currin (“Petitioner”) has filed a Petition for Writ of Habeas Corpus by a Person In State Custody pursuant to 28 U.S.C. § 2254 (the “Petition”). ECF No. 1. At the same time as filing the Petition, he also filed a Petition to Stay and Abey the Petition (the “Motion to Stay”), ECF No. 2, requesting that the Court stay these proceedings pending the outcome of the Pennsylvania Supreme Court’s decision on his Petition for Leave to File Nunc Pro Tunc a Petition for Allowance of Appeal (the “Nunc Pro Tunc Petition”). In the Motion to Stay, Petitioner represented that he filed the Motion to Stay because he was concerned about the Petition in this Court running afoul of the statute of limitations contained in the Anti-terrorism and Effective Death Penalty Act. The Respondents filed an Answer, in which they opposed the granting of the Motion to Stay because the Pennsylvania Supreme Court had already denied Petitioner’s Nunc Pro Tunc Petition. The Pennsylvania Supreme Court did so on November 6, 2014. ECF No. 10-3 at 3.

In light of the foregoing, Petitioner's Motion to Stay is **DENIED** as Moot.

BY THE COURT:

Date: January 5, 2015

/s/ Maureen P. Kelly
MAUREEN P. KELLY
UNITED STATES MAGISTRATE JUDGE

cc: John Paul Currin
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